

REMARKS

In the Office Action mailed December 15, 2006, claims 1-13 were rejected under 35 U.S.C. 103(a) as being unpatentable over the Applicant's Admitted Prior Art (Hereinafter "AAPA") in view of Kim et al. (U.S. Patent No. 6,648,669). The foregoing rejection is respectfully traversed.

Claim 1 has been amended to further clarify the present invention. Support for amendments to claim 1 can be found at paragraph [0011] of the present invention.

New claim 14 has been added. Support for new claim 14 can also be found at paragraph [0011], for example.

Claims 1-14 are currently pending and under consideration. Reconsideration is respectfully requested.

Neither of the foregoing references, individually or combined, discuss "the battery device having the first and the second contact terminals which are longer than the third contact terminal in a first direction and a second direction by first and second predetermined distances, respectively, such that a contact time between the first contact protrusion and the first contact terminal and a contact time between the second contact protrusion and the second contact terminal are longer than that between the third contact protrusion and the third contact terminal". Claim 6 recites features somewhat similar to those recited in amended claim 1.

The AAPA discusses a mobile phone whereby contact terminals employed in a battery of the mobile phone are all formed of the same size (see paragraph [0009] of the specification). Thus, as mentioned in paragraph [0009], when the battery of the mobile phone of the AAPA is removed, the arrangement of these contact terminals and protrusions often results in the mobile phone not being able to recognize the removal of the battery, and therefore, the mobile phone cannot switch power to the backup battery in time to prevent data loss.

At page 2 of the Office Action, the Examiner admits that the AAPA fails to discuss a difference in the length and width of the contact terminals. That is, the AAPA fails to discuss **"the battery device having the first and the second contact terminals which are longer than the third contact terminal in a first direction and a second direction by first and second predetermined distances"**, as recited in claim 1, for example. However, the Examiner asserts that Kim discusses this feature. The Applicant respectfully disagrees with the Examiner.

Firstly, Kim is unrelated to "a battery device for a portable electronic device" as disclosed in the present invention or in the AAPA.

Instead, Kim is related to a locking and unlocking structure for terminal connector housings of the type used in vehicle electrical systems (see Abstract). Specifically, Kim discusses a connector locking mechanism useful in a battery charging circuit for a high voltage (i.e., 42-volt) vehicle system, in which a battery includes a control sensor 102 for sensing when the powered "primary" terminals of positive and negative charging connectors from an alternator/generator 104 are mated and unmated with their counterpart "primary" terminals in battery connectors 20 (see FIG. 1A; and column 3, lines 32-41, for example). The control sensor is a relay that reads whether the power circuit is open or closed and controls the battery accordingly, the control sensor is coupled to the "pilot terminals that are last-to-mate when the connector housings are coupled. When the pilot terminals mate they close circuit 106 to signal that power-carrying primary terminals are already connected. When the battery is disconnected from the alternator/generator by unplugging connectors 10 and 20, the break in circuit 106 caused by the separation of the first-to-unmate pilot terminals signals the control sensor to disconnect the battery from the last-to-unmate primary terminals before they are unmated (see column 3, lines 42-57). Further, a staggered terminals arrangement for connector housings 10 and 20 shown in FIG. 1B in which the primary terminals 112 are longer and offset their respective housings so as to mate first and unmate last, while the pilot terminals 114 are shorter and offset to mate last and unmate first when the housings are pulled apart.

Thus, the Applicant respectfully submits that there is no motivation to combine these references. Further, the combination of the foregoing references fails to establish a *prima facie* case of obviousness over the present invention. Therefore, the Applicant respectfully traverses the Examiner's assertion of obviousness.

To establish a *prima facie* case of obviousness, three basic criteria must be met. **First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings.** Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or discuss all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See M.P.E.P. § 2142.

Withdrawal of the rejection is respectfully requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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